

DECLARATORY

~~Improvement~~ Res. No. 1143-1964

For the Condemnation of a permanent right of way for sewer easement purposes across, through and under a portion of Lots numbered 15, 18, 19 and 20 in W. A. Ewing, Executor and Trustee of the Estate of G. W. Ewing, deceased, a Subdivision of lot two or the middle part of Section 5, Township 30 North, Range 13 East; and lots numbered 15 and 20 in Curdes Homewood Acres; and lots numbered 7, 8, 10, 11, 16, 17, 26 and 27 in Greenvale Addition; and part of the Northeast Quarter of Section 5, Township 30 North, Range 13 East; and part of the Southwest Quarter of Section 33, Township 31 North, Range 13 East, Allen County, Indiana.

Resolution Adopted: Oct. 8, 1964

Confirmed: Nov. 5, 1964

Bids Received:

Contract Awarded:

Contract and Bond:

Contractor:

Reported Completed:

Assessment Roll Confirmed:

Dec. 10, 1964

DECLARATORY RESOLUTION NO. 1143-1964

For the Condemnation of a permanent right of way for sewer easement purposes across, through and under a portion of Lots numbered 15, 18, 19 and 20 in W. A. Ewing, Executor and Trustee of the Estate of G. W. Ewing, deceased, a Subdivision of lot two or the middle part of Section 5, Township 30 North, Range 13 East; and lots numbered 15 and 20 in Curdes Homewood Acres; and lots numbered 7, 8, 10, 11, 16, 17, 26 and 27 in Greenville Addition; and part of the Northeast Quarter of Section 5, Township 30 North, Range 13 East; and part of the Southwest Quarter of Section 33, Township 31 North, Range 13 East, Allen County, Indiana.

PLANS ORDERED:

ADOPTED: Oct. 3, 1964

ADVERTISE NOTICE TO PROPERTY OWNERS: Oct. 14 & 21, 1964
Mail Notices Oct. 23, 1964

HEARING ON CONFIRMATION: Thurs., Nov. 5, 1964 3:30 p. m.

CONFIRMED: as MODIFIED by deleting from said Resolution certain parcels of real estate described as attached to Resolution.

ASSESSMENT ROLL ORDERED: Nov. 5, 1964

ASSESSMENT ROLL APPROVED: Nov. 18, 1964

HEARING ON CONFIRMATION
OF ASSESSMENT ROLL: Thurs., Dec. 10, 1964 3:30 p. m.

NOTICE SERVED: Nov. 27, 1964

ASSESSMENT ROLL CONFIRMED: Dec. 10, 1964

12/21/64

For the Condemnation of a permanent right of way for sewer easement purposes across, through and under a portion of

Lots numbered 15, 18, 19, and 20, in W. A. Ewing, Executor and Trustee of the Estate of G. W. Ewing, deceased, a Subdivision of lot two or the middle part of Section 5, Township 30 North, Range 13 East; and lots numbered 15 and 20 in Curdes Homewood Acres; and lots numbered 7, 8, 10, 11, 16, 17, 26 and 27 in Greenvale Addition; and part of the Northeast Quarter of Section 5, Township 30 North, Range 13 East; and part of the Southwest Quarter of Section 33, Township 31 North, Range 13 East, Allen County, Indiana.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to condemn a permanent right of way for sewer easement purposes across, through and under the following described real estate in Allen County, Indiana, to wit:

An easement 25 feet in uniform width, 12.5 feet on each side of the following described centerline: Beginning at a point on the North bank of the Maumee River and 12.5 feet West of the West line of U.S. #30 Bypass; thence North on a line parallel to and 12.5 feet West of the West line of said U.S. #30 Bypass a distance of 275 feet to a point.

Also, an easement 20 feet in uniform width, 10 feet on each side of the following described centerline: Beginning at a point located 275 feet North of the North bank of the Maumee River and 10 feet West of the West line of U.S. #30 Bypass; thence North on a line parallel to and 10 feet West of the West line of said U.S. #30 Bypass a distance of 655 feet to a point.

Also, the South 20 feet of the North 532 feet of the West 561.4 feet in lot numbered 19, except that portion in existing State Highway right of way; and the East 20 feet of the West 561.4 feet of the North 532 feet in lot numbered 19, and the South 12 feet of the East 359.6 feet of lot numbered 18 and the East 10 feet of lot numbered 18 and the East 10 feet of the South 14.1 feet in lot numbered 15, all lots being in W. A. Ewing, Executor and Trustee of the Estate of G. W. Ewing, deceased, a subdivision of lot two or the middle part of Section 5, Township 30 North, Range 13 East.

Also, an easement 8 feet in uniform width described as follows: Beginning at a point located on the South line of lot numbered 18 in W. A. Ewing, Executor and Trustee of the Estate of G. W. Ewing, deceased, a subdivision of lot two or the middle part of Section 5, Township 30 North, Range 13 East; and 339.6 feet West of the Southeast corner of said lot numbered 18; thence East on the South line and the Easterly extension thereof, of said lot numbered 18 a distance of 349.6 feet to a point; thence South a distance of 8 feet to a point; thence West on a line parallel to and 8 feet South of the South line and the Easterly extension thereof, of said lot numbered 18 a distance of 349.6 feet to a point; thence North 8 feet to the point of beginning.

Also, an easement 10 feet in uniform width described as follows: Beginning at the Southwest corner of lot numbered 20 in Curdes Homewood Acres; thence East on the South line of said lot numbered 20 a distance of 10 feet to a point; thence South on a line 10 feet East of and parallel to the Southerly extension of the West line of said lot numbered 20 a distance of 62 feet to a point; thence West 10 feet to a point; thence North on the Southerly extension of the West line of said lot numbered 20 a distance of 62 feet to the point of beginning.

Also, the West 10 feet of the South 290.1 feet of lot numbered 20 and the North 20 feet of the South 290.1 feet of lot numbered 20 and the South 14 feet of lot numbered 15, all lots being in Curdes Homewood Acres.

Also, the South 7 feet of lots numbered 7, 17, 26 and 27, and the North 7 feet of lots numbered 8 and 16, and the South 7 feet of the North 14 feet of lots numbered 10 and 11, all lots being in Greenvale Addition; except for those utility easements already existing.

Also, an easement 7 feet in uniform width described as follows: Beginning at the Southwest corner of lot numbered 27 in Greenvale Addition; thence East on the South line of Greenvale Addition a distance of 380 feet to a point; thence North on the East line of lot numbered 26 in said Addition a distance of 135 feet to a point; thence East on the Easterly extension of the North line of lot numbered 26 in said Addition a distance of 7 feet to a point; thence South on a line parallel to and 7 feet East of the East line of lot numbered 26 in said Addition a distance of 142 feet to a point; thence West on a line parallel to and 7 feet South of the South line of said Addition a distance of 387 feet to a point; thence North on the East line of lot numbered 16 in Curdes Homewood Acres a distance of 7 feet to the point of beginning.

Also, an easement 7 feet in uniform width described as follows: Beginning at the Southeast corner of lot numbered 116 in Statewood Park, Section C; thence North on the East line of said Addition a distance of 270 feet to a point; thence East on the Easterly extension of the North line of lot numbered 118 of said Addition a distance of 7 feet to a point; thence South on a line parallel to and 7 feet East of the East line of said Addition a distance of 270 feet to a point; thence West 7 feet to the point of beginning.

All as shown by a plan of such proposed Condemnation of a permanent right of way for sewer purposes as described above, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana.

The property which may be injuriously or beneficially affected by such Condemnation of a permanent right of way for sewer purposes is described as follows: Lots numbered 15, 18, 19, and 20, in W. A. Ewing, Executor and Trustee of the Estate of G. W. Ewing, deceased, a Subdivision of lot two or the middle part of Section 5, Township 30 North, Range 13 East; and lots numbered 15 and 20 in Curdes Homewood Acres; and lots numbered 7, 8, 10, 11, 16, 17, 26 and 27 in Greenvale Addition; and part of the Northeast Quarter of Section 5, Township 30 North, Range 13 East and part of the Southwest Quarter of Section 33, Township 31 North, Range 13 East, Allen County, Indiana.

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof.

All streets, lots and land affected by the above described condemnation are situated in the Southwest Quarter, Southeast Quarter, and the Northeast Quarter of Section 5, Township 30 North, Range 13 East; and the Southwest Quarter of Section 33, Township 31 North, Range 13 East, Allen County, Indiana.

Adopted this 8 day of October 1964.

Robert W. Dahman
Board of Public Works

Attest:

Clerk

ENGINEERING
DEPT. OF STREETS

DATE September 30, 1964

TO: Board of Public Works

SUBJECT: Declaratory Resolution 1143-1964

NOTED

☒ F.S.E.

☐ R.W.D.

☐ G.F.G.

190

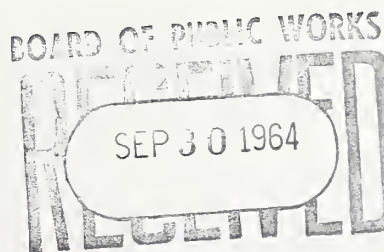
Date _____

The Sewer Engineering Department has prepared the attached Declaratory Resolution, which provides for the condemnation of right of way for sewer easement purposes in conjunction with the Pierson Ditch Sanitary Interceptor Project. These easements are needed in connection with Main Sewer Resolutions 145 and 146-1964.

Please advise what board order number is assigned to this resolution. Drawing and property ownership list are also attached.

Walter H. Meitz
Walter H. Meitz
City Engineer

DEB:is
attachs.



DECLARATORY RESOLUTION NO. 1143-1964

M O D I F I E D

The following described parcels of real estate are deleted from Declaratory Resolution No. 1143-1964:

CONFIRMED AS MODIFIED by deleting from said Resolution certain parcels of real estate described as follows:

The North 20 feet of the South 290.1 feet of lot numbered 20 in Curdes Homewood Acres

Also, the West 10 feet of the North 50 feet of the South 290.1 feet of lot numbered 20 in Curdes Homewood Acres

Also, the East 10 feet of the South 14.1 feet of lot numbered 15 in W. A. Ewing, Executor and Trustee of the estate of G. W. Ewing, deceased, a subdivision of lot 2 or the middle part of Section 5, Township 30 North, Range 13 East

Also, the East 10 feet of the North 35.9 feet of lot numbered 18 in W. A. Ewing, Executor and Trustee of the estate of G. W. Ewing, deceased, a subdivision of lot 2 or the middle part of Section 5, Township 30 North, Range 13 East.

November 10, 1964

Mr. Kenneth McGraw, Clerk
Board of Public Works

Subject: Deleted Portions of Declaratory Resolution #1143-64 - Pierson Ditch

The following described parcels of real estate are deleted from Declaratory Resolution #1143-1964:

Confirmed as modified by deleting from said Resolution certain parcels of real estate described as follows:

The North 20 feet of the South 290.1 feet of lot numbered 20 in Curdes Homewood Acres

Also, the West 10 feet of the North 50 feet of the South 290.1 feet of lot numbered 20 in Curdes Homewood Acres

Also, the East 10 feet of the South 14.1 feet of lot numbered 15 in W. A. Ewing, Executor and Trustee of the estate of G. W. Ewing, deceased, a subdivision of lot 2 or the middle part of section 5, Township 30 North, Range 13 East

Also, the East 10 feet of the North 35.9 feet of lot numbered 18 in W. A. Ewing, Executor and Trustee of the estate of G. W. Ewing, deceased, a subdivision of lot 2 or the middle part of section 5, Township 30 North, Range 13 East.

Sewer Engineering Department
11-10-64

OFFICE OF
BOARD OF PUBLIC WORKS



FORT WAYNE 2, INDIANA

B.O. 190-164

Date

47-245-5

Nov. 5, 1964

To City Engineer

Subject Declaratory 11/13-1964 easements for Sewer 145 & 146

Prepare Assessment Roll of Benefits \$1.00 and Damages \$1.00.

Fred S. Ehrman
Robert W. Dahman
George F. Gable
BOARD OF PUBLIC WORKS

ic
attach Reso. & P. O. List

NOTED
☒ F.S.E.
☒ R.W.D.
☐ G.F.G.

Signed

Date

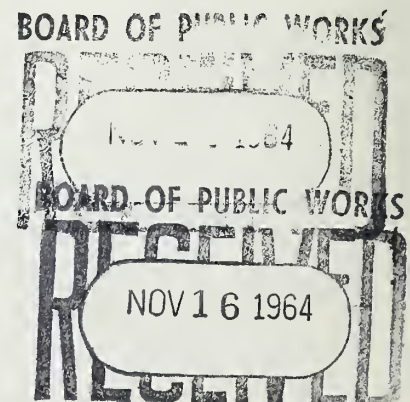
Reply:

November 16, 1964

Assessment Roll of Benefits and Damages completed and attached.

Walter H. Meitz
City Engineer

DEB:is
attachs.



Signed

NOTICE OF IMPROVEMENT

OFFICE BOARD OF PUBLIC WORKS

Fort Wayne, Indiana, **Oct. 23, 1964**

1143

To.....

.....

You are hereby notified that the Board of Public Works, of the City of Fort Wayne, Indiana, did
Declaratory
pass Improvement/Resolution No. **1143-1964**
providing for the **Condemnation of right of way for sewer easement purposes, in connection**
with Main Sewer Resolutions 145 and 146-1964. (Pierson Ditch Sanitary Interceptor)

All work to be done under aforementioned Improvement Resolution shall be in accordance with the detailed plans, profile and specifications which are now on file and may be seen in the office of the Board of Public Works.

The Board has fixed..... **Thursday, Nov. 5, 1964 at 3:30 pm.**
a date and time when they will hear and consider objections or remonstrances from all persons whose property will be affected by the proposed improvement.

You are hereby notified that

W. A. Ewings Sub - Curdes Homewood Acres - Greenvale Add - Space

is subject to assessment for said proposed improvement under the Improvement Laws passed by the General Assembly of the State of Indiana, March 6, 1905, and under all acts amendatory thereto and supplemental thereof.

BOARD OF PUBLIC WORKS

C O P Y

NOTED

☐ F.S.E.
☐ R.W.D.
☐ ~~CHIEF~~

December 18, 1964

Date _____

BOARD OF PUBLIC WORKS

DEC 21 1964

Patrick S. Sidney-Smith
Chief Sewer Engineer
City of Fort Wayne
425 South Calhoun Street
Fort Wayne, Indiana

In re: Remonstrance of D. O. Ferrier
Dec. Res. No. 1143-1964

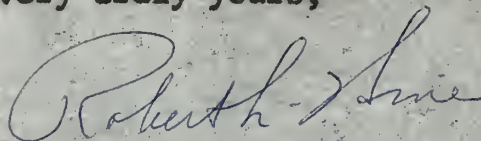
Dear Mr. Sidney-Smith:

I received your letter of December 16, 1964 including the specifications for Pierson Ditch Interceptor.

The provision in these specifications at Section 13, page 5 do cover the problem that my client, D.O. Ferrier, was concerned with in regards to the above resolution.

I want to thank you for your consideration in this matter and you may consider this letter as authority to withdraw the remonstrance that was previously filed to said resolution.

Very truly yours,



ROBERT L. HINES

RLH:kmc

NOTED

BOARD OF PUBLIC WORKS

☒ F.S.

☒ R.W.D.

☐ G.F.G.

DEC 17 1964

Date _____

December 16, 1964

Mr. Robert L. Hines, Attorney
1020 Anthony Wayne Bank Building
Fort Wayne, Indiana

Subject: Remonstrance - Declaratory Res. No. 1143 - 1964

Dear Mr. Hines:

The above mentioned remonstrance has been passed to me for reply. I enclose a copy of the specifications and draw your attention to page five, section 13 regarding Restoration of Job Site. I think this adequately protects the fence that is on the easement we require.

As you are no doubt aware, we have awarded a tentative contract to John Dehner, Inc. for this project and he has assured us specifications will be met in full.

I should like confirmation that the above is satisfactory.

Yours sincerely,

gk
enclosure

P. S. Sidney-Smith
Chief Sewer Engineer

cc: Board of Works
Mr. W. H. Meitz - City Engineer

W A EMMINGS

SUB

COLUMB A

AVENUE

Chas B. Miller

EMMINGS, JOHN L. & NANCY A.

EMMINGS, JOHN L. & NANCY A.

VONDERAU REALTY CORP.

Eleanor C. Vonderau

G.A. Lorenz

Harriet F. Lorenz

RIVERVIEW INC.

ELY, MYRON S. & ANNABELLE

Myron S. & Annabelle R. Ely

RIVERVIEW INC.



— Easements To Be Secured
--- Easements Existing

N



1143

Improvement Resolution No. 1143-1964 For THE CONDEMNATION OF RIGHT OF WAY FOR SEWER EASEMENT PURPOSES, IN CONNECTION WITH MAIN SEWER RESOLUTIONS 145 AND 146 - 1964. (PIERSON DITCH SANITARY INTERCEPTOR)

3

	OWNER'S NAME	ADDRESS	R. P. O.	NUMBER OF			DESCRIPTION
				LOT	BLOCK	O. L.	
18							
OK 1	MAGNAN, THEODORE & WILLIAM O. KELSEY,	1319 W. E. Rd.		20			W. A. EWINGS SUB.
2	VONDERAU REALTY CORP.	FLOYD B. & FLETCHER SANI. W.		15			"
OK 3	VONDERAU ELANOR C.	1112 Buena Rd		18			"
4	ELY, MYRON S. & ANNABELLE R.	1-22 - Buena Rd 13 M Anthony		19			"
5		742 Buena Rd		19			"
6	ELY, MYRON S. & ANNABELLE R.	742 Buena Rd		19			"
7				19			"
8				19			"
9	FELGER, HARRIET			20			"
10				20			"
OK 11	KORENZEN, CURTIS G. & JUNE A.			20			"
12				20			"
13	RIVERVIEW INC			20			"
14				20			"
15				20			"
OK 16	MILLER, CHAS. B. & JULIA A.			15			"
OK 17	SCHOENHERR, LESTER M. & RUTH A.			26			"
18	EMENHISER, JOHN L. & NANCY A.	1907 PINEHURST DR		27			"
OK 19	EMENHISER, JOHN L. & NANCY A.						"
20							"
21	RIVERVIEW INC.			7			"
22	SMENNER, LEROY & ELOISE			8			"
OK 23	TANCEY, FRANK G. & MARIE			10			"
OK 24	CLARK, FRANK W. & JACQUELINE A.			11			"
OK 25	ALLEN COUNTY LUMBER CO.			16			"
OK 26	SMENNER, LEROY & ELOISE			17			"
OK 27	FERRIE, D.O. & J.						"
28							"
29	HANIFAN, KENNETH A. & OLIVE E.						"
30							"
31	BLAIR, J. E. & P.						"
32							"
33	RIVERVIEW INC.						"
34							"
35							"
36							"
37							"
38							"
39							"
40							"
41							"
42							"
43							"
44							"
45							"
46							"
47							"
48							"
49							"
50							"
51							"
52							"
53							"
54							"
55							"
56							"
57							"
58							"
59							"
60							"
61							"
62							"
63							"
64							"
65							"

NOTICES MAILED ~~OR SERVED~~

Oct. 23, 1964
By Beryl Redding

TOTAL

1143